

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

VIRTUAL STUDIOS, INC.

Plaintiff,

v.

COURISTAN, INC.

Defendant.

CIV. ACTION No. 11-00427-JLL-CCC

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties, that the chart summarizing Couristan's usage of Virtual Studios' room scene images (the "Chart") prepared by Defendant Couristan, Inc. pursuant to Federal Rule of Evidence 1006 may be admitted into evidence in connection with a motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure and/or at the trial of this matter on the following conditions:

1. Either party may rely on the Chart to establish the length of Couristan's usage of Virtual Studio's room scene images.
2. Virtual may examine any Couristan witnesses at trial on the content of the Chart and the preparation thereof provided, however, Virtual acknowledges and agrees that Couristan's production and reliance on the Chart does not waive either the attorney/client privilege and/or the attorney work product doctrine and therefore, any such examination by Virtual may not inquire into Couristan's communications with its counsel concerning:
 - a. the length of usage of Virtual's room scene images;
 - b. any and all aspects of the creation and preparation of the Chart;

- c. the information contained in the Chart; and
- d. any other privileged communications with counsel.

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SO ORDERED.

Date: 4/11/12


Hon. Magistrate Judge Michael Hammer